

# MARICOPA COUNTY ENVIRONMENTAL HEALTH CODE

## CHAPTER I

### GENERAL PROVISIONS

#### REGULATION 1. Definitions

The following definitions shall apply throughout this Environmental Health Code, unless a different meaning is clearly indicated by the context or is stated in any of the several chapters.

- a. NO CHANGE
- b. NO CHANGE.
- c. NO CHANGE
- d. NO CHANGE
- e. NO CHANGE
- f. NO CHANGE
- g. NO CHANGE
- h. NO CHANGE
- i. "Environmental Health Code" means all of the rules and regulations which are adopted by the Board of Health and the Board of Supervisors pursuant to A.R.S. 36-183.02 **THROUGH 36-183.07**, 36-184, 36-187.C., 11-251 Paragraphs 17 and 31, 11-251.05, 11-251.08, 49-106, and 49-107, and which remain in force.
- j. NO CHANGE
- k. NO CHANGE
- l. NO CHANGE
- m. NO CHANGE
- n. NO CHANGE
- o. NO CHANGE
- p. NO CHANGE

#### REGULATION 2. NO CHANGE

#### REGULATION 3. NO CHANGE

## REGULATION 4. NO CHANGE

## REGULATION 5. Fees

- a. No permit shall be issued, and no permit is valid, until the permit fee is received by the Department, except that the operator of a charitable nonprofit establishment (which operates to provide relief solely for the poor, distressed or under-privileged) may apply to the Board of Health for a waiver of permit fee. A waiver of fee may be granted only to the operator of an establishment, which maintains a current 501(c)(3) tax exempt designation from the Department of the Treasury, Internal Revenue Service, who demonstrates to the Board of Health that payment of said fee will cause financial hardship. **BOARD OF HEALTH GRANTED FEE WAIVERS EXPIRE PURSUANT TO THE REQUIRED PERMIT LISTING IN SECTION C OF THIS REGULATION.** Application for a permit fee waiver shall be made using forms provided by the Department.

- b. NO CHANGE

- c. Plan Review Fees:

Plan review fees shall be determined based on a flat fee or an initial fee plus an hourly rate.

- (1) Where it applies, if the actual cost of processing the application for a plan review is greater than the initial fee, the Department shall send the Applicant a final itemized bill for the difference between the initial fee and the actual cost of processing the application except that the final bill shall not exceed the applicable maximum fee. Such a difference shall be paid in full before issuance of the permit.
- (2) In determining a flat fee or an hourly rate for services, the fee shall not exceed the reasonable cost of providing the services required as established by A.R.S. 36 187.C.2.
- (3) From the effective date of this regulation the hourly rate shall be \$130.00 dollars per hour based on the Department's cost for a full fiscal year. Expedited, design/build and phased plan reviews shall be assessed at two times the flat fee or hourly rate. The Board of Supervisors may amend the flat fee or hourly rate annually.

Fees shall be paid according to the following table:

**CHAPTER I**  
**MARICOPA COUNTY HEALTH CODE**  
**Food Facility Operating Permit FEE SCHEDULE - Effective July 21, 2006**  
Permits, Inspections

Required Permit	Permit	1 Yr. Fee - NO CHANGE
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	<b>Subtype</b>	
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<b>Required Permit</b>	<b>Permit Subtype</b>	<b>ONE TIME FEE 1-Yr, Fee</b>
Liquor License		\$45.00
Variance	Mobile Food Establishments	\$255.00
Bare Hands Contact Exemption		\$245.00
Variance	Eating and Drinking	\$90.00
Inspection upon Request	Eating and Drinking	\$240.00

**MARICOPA COUNTY HEALTH CODE**  
**Food Facility Operating Permit FEE SCHEDULE - Effective July 1, 2007**  
Permits, Inspections

<b>Required Permit</b>	<b>Permit Sub Type</b>	<b>1 Yr. Fee - NO CHANGE</b>
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<b>Required Permit</b>	<b>Permit Sub Type</b>	<b>ONE TIME FEE 1-Yr, Fee</b>
Liquor License		\$45.00
Variance	Mobile Food Establishments	\$255.00
Bare Hand Contact Exemption		\$245.00
Variance	Eating and Drinking	\$90.00
Inspection upon Request	Eating and Drinking	\$240.00

**CHAPTER I**  
**MARICOPA COUNTY HEALTH CODE**  
**Food Facility Operating Permit FEE SCHEDULE - Effective July 1, 2008**  
Permits, Inspections

<b>Required Permit</b>	<b>Permit Subtype</b>	<b>1 Yr. Fee - NO CHANGE</b>
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<b>Required Permit</b>	<b>Permit Subtype</b>	<b>1 Yr. Fee - NO CHANGE</b>
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<b>Required Permit</b>	<b>Permit Sub Type</b>	<b>ONE TIME FEE 1-Yr, Fee</b>
Liquor License		\$45.00
Variance	Mobile Food Establishments	\$255.00
Bare Hand Contact Exemption		\$245.00
Variance	Eating and Drinking	\$90.00

Inspection upon Request	Eating and Drinking	\$240.00
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**MARICOPA COUNTY HEALTH CODE  
FEE SCHEDULE - Effective July 21, 2006**  
Permits, Inspections, Plans Examination

<b>Non-Food Environmental Health Operating Permits</b>	<b>Permit Subtype</b>	<b>1 Yr. Fee - NO CHANGE</b>
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<b>Non-Food Environmental Health Operating Permits</b>	<b>Permit Subtype</b>	<b>1 Yr. Fee - NO CHANGE</b>
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<b>Food Service Licensing</b>		<b>Fee - NO CHANGE</b>
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<b>Environmental Health Plan Review - NO CHANGE</b>
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<b>Environmental Health Plan Review Type</b>	<b>Permit Subtype</b>	<b>Fee - NO CHANGE</b>
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<b>Swimming Pool Plan Review</b>	<b>Permit Subtype</b>	<b>Fee - NO CHANGE</b>
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<b>Water and Waste Operating Permits</b>	<b>Permit Subtype</b>	<b>1 Yr. Fee - NO CHANGE</b>
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<b>Water and Waste Operating Permits</b>	<b>1 Yr. Fee - NO CHANGE</b>
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<b>Water and Waste Plan Review - NO CHANGE</b>
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<b>Plan Review</b>	<b>Initial Fee- NO CHANGE</b>	<b>Maximum Fee NO CHANGE</b>
<b>Water Plants - NO CHANGE</b>		
<b>Waste Treatment Works - NO CHANGE</b>		

<b>Other Plans - NO CHANGE</b>
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<b>Water System Site Sampling Plan, Emergency Operations Plans, Backflow Prevention Plan or Other Plans</b>	<b>Fee - NO CHANGE</b>
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<b>Water and Waste Plan Review</b>	<b>Flat Fee - NO CHANGE</b>
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<b>Water and Waste Plan Review</b>	<b>Flat Fee - NO CHANGE</b>
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<b>Sewer Collection Systems Plan Review</b>	<b>Flat Fee - NO CHANGE</b>
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Miscellaneous Fees	Sub-Type	Fee - NO CHANGE
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**REGULATION 7. Suspension and Revocation of Permits**

a. Suspension of Permit:

- (1) NO CHANGE
- (2) NO CHANGE
- (3) Upon suspension of the permit, the premises will thereupon be posted closed. The closure sign will be posted in a conspicuous place on the premises, clearly visible to the public, and will remain in place until removal is authorized by the Environmental Health Officer. **IT IS THE RESPONSIBILITY OF THE PERMIT HOLDER TO MAINTAIN THE SIGN IN AN UNOBSTRUCTED MANNER IN THE LOCATION WHERE THE SIGN WAS PLACED.**

b. Revocation of Permit:

- (1) NO CHANGE
- (2) Prior to revocation, the Environmental Health Officer shall notify, in writing, the holder of the permit, or the person in charge, of the specific reason(s) for which the permit is to be revoked and that ~~the permit~~ **THERE** shall be ~~revoked~~ **A FINAL REVOCATION OF THE PERMIT** at the end of the twenty (20) days following service of such notice unless a written request for hearing is filed with the regulatory authority by the holder of the permit within such twenty (20) day period, ~~revocation of the permit becomes final.~~ If a request for hearing is timely filed, the hearing shall be held within twenty (20) days of receipt of the request.
- (3) NO CHANGE
- (4) **UPON FINAL REVOCATION OF THE PERMIT, THE PREMISES WILL THEREUPON BE POSTED CLOSED. THE CLOSURE SIGN WILL BE POSTED IN A CONSPICUOUS PLACE ON THE PREMISES, CLEARLY VISIBLE TO THE PUBLIC, AND WILL REMAIN IN PLACE UNTIL REMOVAL IS AUTHORIZED BY THE ENVIRONMENTAL HEALTH OFFICER. IT IS THE RESPONSIBILITY OF THE PERMIT HOLDER TO MAINTAIN THE SIGN IN AN UNOBSTRUCTED MANNER IN THE LOCATION WHERE THE SIGN WAS PLACED BY THE ENVIRONMENTAL HEALTH OFFICER.**

- (4) (5) Service of Notices.

- (a) A notice provided for in this Environmental Health Code is properly served when it is delivered to the holder of the permit, or the person in charge, or when it is sent by registered or certified-mail, return receipt requested, to the last known address of the holder of the permit. A copy of the notice shall be filed in the records of the regulatory authority. The notice shall comply with the provisions of A.R.S. 41-1061.B.

~~(5)~~ (6) Hearings.

- (a) Hearings held pursuant to the provisions of this article shall be conducted in accordance with the requirements of A.R.S. 41-1061 ET SEQ.

~~(6)~~ (7) Application after Revocation.

- (a) Whenever a revocation of a permit has become final, the holder of the revoked permit may make written application for a new permit.

#### REGULATION 11. Violation

- a. Violations of this Environmental Health Code may be redressed by proceedings pursuant to A.R.S. 36-601.B., 49-142 or 49-143; by injunctive relief in Superior Court; or by any other applicable remedies provided by law. In addition, persons who violate a provision of this Environmental Health Code are guilty of a Class 3 Misdemeanor **IF THE PERSON HOLDS A VALID PERMIT OR A CLASS 2 MISDEMEANOR IF THE PERSON DOES NOT HOLD A VALID PERMIT UNDER THIS ARTICLE** as provided in A.R.S. 36-~~183.02~~ **183.03** and 36-191 and may be punished accordingly.
- b. NO CHANGE
- c. Notice under this section is accomplished by the issuance of a Cease and Desist Order, ~~or~~ Permit Revocation, or-by filing a complaint in Superior Court.

#### REGULATION 13. Posting of Notices of Violation

The Environmental Health Officer may, for the purpose of notification to the public, post a warning sign at any premises or establishment describing the nature of legal action being taken against said premises or establishment under the provisions of the Environmental Health Code. **THIS SIGN WILL BE POSTED IN A CONSPICUOUS PLACE ON THE PREMISES, CLEARLY VISIBLE TO THE PUBLIC, AND WILL REMAIN IN PLACE UNTIL REMOVAL IS AUTHORIZED BY THE ENVIRONMENTAL HEALTH OFFICER. IT IS THE RESPONSIBILITY OF THE PERMIT HOLDER AND/OR OWNER TO MAINTAIN THE SIGN IN AN UNOBSTRUCTED MANNER IN THE ORIGINAL LOCATION WHERE THE SIGN WAS PLACED BY THE ENVIRONMENTAL HEALTH OFFICER.**

